IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

MENTAL HEALTH PETITION NO.9 OF 2004

In the matter of Mental Health Act, 1987;

And

In the matter of Application under Section 52, 53 and 54 of the Mental Health Act, 1987;

And

In the matter of Appointment of Guardian and Manager of the person and properties of Mr.Sarju M. Patel a major but being severely mentally retarded.

Madhu Manilal Patel & Ors. ..Petitioners.

Ms.Madhu Patel with Mahek Kalyaniwalla i/b.M/s.Mulla & Mulla for the Petitioners.

CORAM: S.U.KAMDAR, J.
DATED: 13TH DECEMBER, 2004

P.C. :

The present Petition is filed by the Petitioner No.1 who is the natural father and is a practising Advocate of this Court. The Petitioners Nos.2 and 3 are the sister and brotherin-law of the ward. The Petitioner Nos.4, 5 and 6 are the cousins of the ward in the Lunancy Petition No.1 of 1989.

2. This Court, by an order dated 17th March, 1989

appointed the Petitioner No.1 and his wife Rohini M. Patel as the natural guardian of the person and property of Sarju M. Patel. At the time of appointment of the guardians, the said Sarju M. Patel, was examined by the panel of Doctors and the necessary report was filed alongwith Lunancy Petition No.1 of 1989.

3. The said Rohini M. Patel, the natural mother of the ward has expired on 9.1.2002 and, in the aforesaid circumstances, the present Petition is filed to appoint the additional persons as the guardians and managers of the person and properties of the ward Sarju.

4. In view thereof, the Petitioner No.1 desires that the Petitioner No.2 the daughter and her husband as well as cousin and the wife of the cousin should be appointed as the guardians.

5. I have considered the averments in paragraph 7 of the Petition. I am of the opinion that the present Petition should be granted.

6. The Petition is accordingly made absolute in terms of prayer clauses (a) and (b). Petition is

disposed of accordingly. There shall be no order as to costs.